

Message Text

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ACTION L-03

INFO OCT-01 ARA-06 IO-13 ISO-00 DHA-02 ORM-02 ACDA-07
SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00 PM-04 H-01
INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
AF-10 EA-07 EUR-12 NEA-10 /109 W
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O R 111712Z MAY 77
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 7266
INFO SECDEF WASHDC
JCS WASHDC
USUN NEW YORK 4799
AMEMBASSY MEXICO

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DOD ALSO PASS TO AF/JA, JAVY JAF, DAJA-IA, DCPA

E.O. 11652: N/A
TAGS: ICRC PARM PFOR
SUBJECT: DIPLOMATIC CONFERENCE ON INTERNATIONAL HUMANITARIAN LAW

REF: STATE 105429

1. TEXT OF MEXICAN PROPOSAL IN REFTEL HAS ALREADY
BEEN INTRODUCED IN FIRST COMMITTEE OF THIS CONFERENCE.
MOST OF WESTERN DELS HAVE EXPRESSED STRONG OPPOSITION
TO PROPOSAL ON GROUNDS THAT REVIEW OF CONVENTIONAL
WEAPONS SHOULD NOT BE LINKED TO PROTOCOL I PROHIBITION
OF WEAPONS WHICH CAUSE SUPERFLUOUS INJURY OR HAVE
INDISCRIMINATE EFFECTS, AND THAT COMMITTEE AS
STRUCTURED IN MEXICAN PROPOSAL WOULD LEAD ITSELF TO
POLITICIZED TREATMENT OF WEAPONS ISSUES CONTRARY TO
WESTERN INTERESTS. SOVIETS ALSO OPPOSE MEXICAN DRAFT.

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2. THUS FAR WE HAVE EXPRESSED SYMPATHY WITH MEXICAN
OBJECTIVE OF PROVIDING OPPORTUNITY FOR CONTINUING
REVIEW OF WEAPONS ISSUES IN CONTEXT OF HUMANITARIAN LAW,
BUT HAVE SAID THAT INSERTION OF MEXICAN TEXT IN PROTO-
COL I IS NOT REPEAT NOT PROPER METHOD OF ACCOMPLISHING
THAT OBJECTIVE. WE HAVE INSTEAD SUGGESTED THAT MATTER
BE HANDLED BY ADOPTION OF CONFERENCE RESOLUTION RE-

QUESTING SOME APPROPRIATE PARTY (SUCH AS ICRC OR SWISS GOVERNMENT) TO CONTINUE WEAPONS WORK IN CONTEXT OF HUMANITARIAN LAW THROUGH CONVENING OF APPROPRIATE COMMITTEE OR MEETINGS OF GOVERNMENT REPRESENTATIVES. WE BELIEVE THIS WOULD IN FACT SATISFY MEXICANS, ALTHOUGH MEXICAN DEL MAY FEEL OBLIGED TO PRESS HIS PROPOSAL TO DECISION IN COMMITTEE BEFORE AGREEING TO COMPROMISE.

3. WE ARE CONSULTING WITH WESTERN DELS ON DRAFT OF POSSIBLE RESOLUTION. MEXICAN PROPOSAL MAY NONETHELESS BE BROUGHT TO VOTE IN COMMITTEE VERY SOON, POSSIBLY AS EARLY AS TODAY. IF PRESSED TO A VOTE, WE WILL VOTE WITH WESTERN DELS, PROBABLY AGAINST. HOWEVER, WE WILL CONTINUE TO EXPRESS GENERAL SYMPATHY WITH MEXICAN AIMS AND WILLINGNESS TO WORK OUR APPROPRIATE RESOLUTION.

4. IN VIEW OF ABOVE, WE SUGGEST YOU ORALLY ADVISE MEXICAN EMBASSY THAT WHILE US DOES NOT FAVOR INCLUSION OF MEXICAN TEXT IN PROTOCOL I, WE SYMPATHIZE WITH MEXICAN OBJECTIVE, AND US DEL IS PRESENTLY WORKING WITH MEXICAN DEL TO ACHIEVE MUTUALLY ACCEPTABLE CONFERENCE RESOLUTION FOR THIS PURPOSE. IF YOU FEEL FORMAL RESPONSE IS REQUIRED, WE SUGGEST SOMETHING ALONG FOLLOWING LINES: QUOTE THE UNITED STATES AGREES WITH THE BASIC PURPOSE OF THE MEXICAN PROPOSAL, NAMELY TO PROVIDE AN APPROPRIATE MEANS FOR CONTINUING THE REVIEW OF CONVENTIONAL WEAPONS IN THE CONTEXT OF INTERNATIONAL HUMANITARIAN LAW. WE DO NOT BELIEVE LIMITED OFFICIAL USE

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THAT INCLUSION INTO PROTOCOL I OF THE PROPOSED ARTICLE 86 BIS WOULD BE THE MOST APPROPRIATE MEANS FOR ACCOMPLISHING THIS PURPOSE, AND WE HAVE REASON TO BELIEVE THAT SUCH AN ARTICLE WOULD ENCOUNTER SIGNIFICANT OPPOSITION FROM OTHER DELEGATIONS IN THE DIPLOMATIC CONFERENCE. HOWEVER, WE ARE PREPARED TO WORK WITH THE MEXICAN DELEGATION TO GENEVA TO DEVISE A CONFERENCE RESOLUTION CALLING FOR AN APPROPRIATE CONTINUATION OF THE CONSIDERATION OF WEAPONS ISSUES IN THE CONTEXT OF INTERNATIONAL HUMANITARIAN LAW AND WE HOPE THIS APPROACH WOULD ACCOMPLISH THE BASIC OBJECTIVES OF THE MEXICAN GOVERNMENT IN MAKING ITS PROPOSAL WHILE AT THE SAME TIME PROVIDING A BASIS FOR GENERAL CONSENSUS AMONG THE CONFERENCE PARTICIPANTS. UNQUOTE.SORENSEN

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 11-May-1977 12:00:00 am
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